

United States District Court

NORTHERN DISTRICT OF CALIFORNIA

07 JUN E-filing!

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

SUMMONS IN A CIVIL CASE

CASE NUMBER:

EDL

C 07 1804

Unexecuted

ORIGINAL

Primarius Capital LLC; Primarius China Fund LP;  
Primarius Focus LP; Primarius Partners LP; and  
Primarius Offshore Partners Ltd.

v.

Jayhawk Capital Management LLC; Jayhawk  
China Fund (Cayman) Ltd.; Jayhawk Investments  
LP; [see attachment for additional defendants]

TO: (Name and address of defendant)

Jayhawk Capital Management LLC  
Jayhawk China Fund (Cayman) Ltd.  
Jayhawk Investments LP  
Jayhawk Institutional Partners LP  
Kent McCarthy  
5410 West 61st Place, Mission, Kansas 66205

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

Philip Heller PLC (CA Bar No. 113938)  
Debi A. Ramos, Esq. (CA Bar No. 135373)  
FAGELBAUM & HELLER LLP  
2049 Century Park East, Suite 4250  
Los Angeles, California 90067  
TEL (310) 286-7666  
FAX (310) 286-7086  
EMAIL: office@fhlplaw.com

an answer to the complaint which is herewith served upon you, within **20** days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgement by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

Richard W. Wieking

CLERK

(BY) DEPUTY CLERK

MAR 30 2007

DATE

AO 440 (Rev. 8/01) Summons in a Civil Action

**RETURN OF SERVICE**

DATE

Service of the Summons and Complaint was made by me <sup>1</sup>

Name of SERVER

TITLE

*Check one box below to indicate appropriate method of service*

- Served Personally upon the Defendant. Place where served:
- Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.  
Name of person with whom the summons and complaint were left:
- Returned unexecuted:
- Other (specify):

**STATEMENT OF SERVICE FEES**

TRAVEL	SERVICES	TOTAL

**DECLARATION OF SERVER**

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on \_\_\_\_\_  
 Date \_\_\_\_\_  
 Signature of Server \_\_\_\_\_

Address of Server \_\_\_\_\_

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure

1                   **ATTACHMENT TO SUMMONS**  
2  
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4

Primarius Capital LLC, et al. v. Jayhawk Capital Management LLC, et al.

5  
6                   **Additional Defendants:**  
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Jayhawk Institutional Partners LP; Kent C. McCarthy and DOES 1 through 100, Inclusive.